

# Order

Michigan Supreme Court  
Lansing, Michigan

September 24, 2021

Bridget M. McCormack,  
Chief Justice

162497

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 162497  
COA: 343755  
Wayne CC: 16-005731-FC

JOSHUA LAMAR-JAMES STEWART,  
Defendant-Appellant.

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By order of June 4, 2021, the prosecuting attorney was directed to answer the application for leave to appeal the November 24, 2020 judgment of the Court of Appeals. On order of the Court, the answer having been received, the application is again considered, and we direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief addressing: (1) whether the statement the appellant made to the police was not voluntary because the interrogating officers employed overly coercive tactics, including promises of leniency. *People v Conte*, 421 Mich 704 (1984), see also *People v Shipley*, 256 Mich App 367, 373 (2003); (2) whether the requirement in MCL 769.34(10) that the Court of Appeals affirm any sentence within the guidelines range, absent a scoring error or reliance on inaccurate information, is consistent with the Sixth Amendment, the due-process right to appellate review, and *People v Lockridge*, 498 Mich 358 (2015); and, if not, (3) whether the appellant's sentence is reasonable and proportionate. The appellant's brief shall be filed by December 20, 2021, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups

interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.

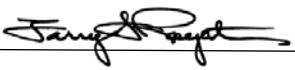
We direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *People v Posey* (Docket No. 162373).



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 24, 2021

  
Clerk